

Senate File 508

S-3208

1 Amend Senate File 508 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I
4 FIREWORKS REGULATION>

5 2. By striking page 1, line 34, through page 2,
6 line 1, and inserting:

7 <d. "Retailer" means as defined in section 423.1.>

8 3. Page 3, lines 4 and 5, by striking <one hundred>
9 and inserting <twenty-five>

10 4. Page 4, line 20, by striking <or>

11 5. Page 4, line 26, by striking <seller license>

12 6. Page 4, line 29, by striking <seller license>

13 7. Page 4, line 30, by striking <seller license>

14 8. Page 4, line 34, after <section> by inserting
15 <and section 100.19A>

16 9. Page 5, line 2, after <3> by inserting <and the
17 fees collected by the state fire marshal under section
18 100.19A for wholesaler registration>

19 10. Page 5, line 29, after <to> by inserting
20 <annually>

21 11. Page 5, line 33, by striking <a> and inserting
22 <an annual>

23 12. Page 5, line 35, after <state.> by inserting
24 <Registration fees collected pursuant to this section
25 shall be deposited in the consumer fireworks fee fund
26 created in section 100.19, subsection 6.>

27 13. Page 6, line 31, by striking <resolution
28 suspend the use of display> and inserting <ordinance
29 or resolution limit or restrict the use of consumer
30 fireworks or display>

31 14. Page 6, line 33, after <safety> by inserting
32 <or private property, or if the board determines that
33 the use of such devices would constitute a nuisance to
34 neighboring landowners>

35 15. Page 7, after line 2 by inserting:
36 <Sec. ____ . Section 364.2, Code 2015, is amended by
37 adding the following new subsection:

38 NEW SUBSECTION. 6. A city council may by ordinance
39 or resolution prohibit or limit the use of consumer
40 fireworks, display fireworks, or novelties, as
41 described in section 727.2.>

42 16. Page 7, lines 5 and 6, by striking <consumer
43 fireworks, display fireworks, and novelties,> and
44 inserting <consumer fireworks or display fireworks,>

45 17. Page 8, line 25, by striking <suspended by a
46 resolution> and inserting <prohibited or limited by an
47 ordinance>

48 18. Page 8, line 26, after <county> by inserting
49 <or city>

50 19. Page 9, line 9, by striking <c. A> and

1 inserting:
2 <c. (1) A person who uses or explodes consumer
3 fireworks or novelties while the use of such devices is
4 prohibited or limited by an ordinance adopted by the
5 county or city in which the fireworks are used commits
6 a simple misdemeanor, punishable by a fine of not less
7 than two hundred fifty dollars.
8 (2) A>
9 20. Page 9, by striking lines 33 and 34 and
10 inserting <misdemeanor. A court shall not order
11 imprisonment for violation of this subsection.>
12 21. Page 10, by striking lines 14 and 15 and
13 inserting:
14 <Sec. _____. EFFECTIVE DATE. This division of this
15 Act takes effect December 1, 2015.
16 DIVISION _____
17 RULEMAKING
18 Sec. _____. EMERGENCY RULES. The state fire
19 marshal shall adopt emergency rules under section
20 17A.4, subsection 3, and section 17A.5, subsection 2,
21 paragraph "b", to implement the provisions of this
22 Act and the rules shall be effective immediately upon
23 filing unless a later date is specified in the rules.
24 Any rules adopted in accordance with this section shall
25 also be published as a notice of intended action as
26 provided in section 17A.4.
27 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
28 of this Act, being deemed of immediate importance,
29 takes effect upon enactment.>
30 22. Title page, line 2, by striking <and providing
31 penalties> and inserting <, providing fees and
32 penalties, and including effective date provisions>
33 23. By renumbering as necessary.

JEFF DANIELSON